STAND. COM. REP. NO. 3221

Honolulu, Hawaii APR 0 3 2014

RE: S.C.R. No. 20

Honorable Donna Mercado Kim President of the Senate Twenty-Seventh State Legislature Regular Session of 2014 State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.C.R. No. 20 entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING PORTION OF STATE SUBMERGED LANDS AT MOKULEIA, WAIALUA, OAHU, FOR THE MAINTENANCE AND REPAIR OF THE EXISTING SEAWALL AND CONCRETE FOOTING, AND FOR USE, MAINTENANCE, AND REPAIR OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of state submerged lands for the maintenance and repair of the existing seawall and concrete footing, and for the use, maintenance, and repair of the existing improvements constructed thereon.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that an existing seawall and concrete footing were placed on state submerged lands fronting the property identified as Tax Map Key: (1) 6-8-010: seaward of 021, Mokuleia, Waialua, Oahu. Your Committee recognizes that the current owner has worked with the Department of Land and Natural Resources to resolve the encroachment of the existing seawall and concrete footing on state submerged lands. Your Committee further finds that the Board of Land and Natural Resources has approved

the issuance of a fifty-five year, non-exclusive easement to resolve the encroachments.

Section 171-53, Hawaii Revised Statutes, requires the prior approval of the Governor and prior authorization of the Legislature by concurrent resolution for the disposition of state submerged lands. Accordingly, your Committee finds that this concurrent resolution is in compliance with the statutory requirements.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 20 and recommends its adoption.

Respectfully submitted on behalf of the members of the Committee on Ways and Means,

DAVID Y IGE Chair

The Senate Twenty-Seventh Legislature State of Hawai'i

Record of Votes Committee on Ways and Means WAM

Bill / Resolution No.:*	Committee Referral:		Da	Date:	
SCR 20	WTL,	WAM		4/1/14	-
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Regommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)		V			
KIDANI, Michelle N. (VC)					
CHUN OAKLAND, Suzanne		V			
DELA CRUZ, Donovan M.					
ENGLISH, J. Kalani		<u> </u>			
ESPERO, Will		<u></u>			
KAHELE, Gilbert					
KEITH-AGARAN, Gilbert S.C.					
KOUCHI, Ronald D.					
RUDERMAN, Russell E.			<u></u>		
THIELEN, Laura H.					
TOKUDA, Jill N.					
SLOM, Sam					
		12	0	0	/
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature: Nuklle Adani					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only one measure per Record of Votes